

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BALLY TECHNOLOGIES, INC.

Plaintiff,

vs.

BUSINESS INTELLIGENCE SYSTEMS  
SOLUTIONS, INC.

Defendant.

Case No. 2:10-cv-00440-PMP-GWF

**ORDER**

**Motion in Limine or to Compel  
Production - #121**

This matter is before the Court on Plaintiff's Sealed Motion in Limine or to Compel Production of BIS2's Source Code (#121), filed on November 23, 2011; Defendant's Sealed Opposition to Plaintiff's Motion in Limine or to Compel Production of BIS2's Source Code (#122), filed on December 12, 2011; and Plaintiff's Reply in Support of its Motion in Limine or to Compel Production of BIS2's Source Code (#127), filed on December 22, 2011. The Court conducted a hearing in this matter on January 18, 2012. Plaintiff appeared at the hearing by and through its counsel Michael D. Rounds, Esq. Defendant appeared at the hearing by and through its counsel Robert W. Busby, Esq. and Michael N. Feder, Esq.

**DISCUSSION**

Based on the statements and representations made by Plaintiff's and Defendant's counsel during the hearing on this motion, the parties agree that testimony at trial regarding the source code for the allegedly infringing software product(s) will be limited to Defendant's 3.0 source code. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Sealed Motion in Limine or to Compel Production of BIS2's Source Code (#121) is **granted** as follows: Testimony at trial regarding the

1 source code for the allegedly infringing software product(s) will be limited to Defendant's 3.0  
2 source code.

3 DATED this 18th day of January, 2012.

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6 GEORGE FOLEY, JR.  
7 United States Magistrate Judge  
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